

05-7058 JONES V. MICHIGAN DEPT. OF CORRECTIONS, ET AL.

DECISION BELOW: UNPUBLISHED

LOWER COURT CASE NUMBER: 03-2576

QUESTIONS PRESENTED

1. Whether satisfaction of the PLRA' s exhaustion requirement is a prerequisite to a prisoner's federal civil rights suit such that the prisoner must allege in his complaint how he exhausted his administrative remedies (or attach proof of exhaustion to the complaint), or instead, whether non-exhaustion is an affirmative defense that must be pleaded and proven by the defense.
2. Whether the PLRA prescribes a "total exhaustion" rule that requires a federal district court to dismiss a prisoner's federal civil rights complaint for failure to exhaust administrative remedies whenever there is a single unexhausted claim, despite the presence of other exhausted claims.

Cert. Granted 3/6/06

Consolidated with 05-7142 and one hour allotted for oral argument.